

MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, October 3, 2011
Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), M. Beal, J. Goodwin, R. Hall, K. Holt, G. Lewis, B. Ryan
Members absent: P. Plante, B. Pociask
Alternates present: K. Rawn, V. Ward
Alternates absent: F. Loxsom
Staff Present: Linda M. Painter, Director of Planning and Development
Curt Hirsch, Zoning Agent

Chairman Favretti called the meeting to order at 7:29 p.m. and appointed alternates Rawn and Ward to act in members' absence.

Minutes:

09-19-11- Hall MOVED, Ryan seconded, to approve the 9/19/11 minutes as written. MOTION PASSED UNANIMOUSLY. Ward stated that she had listened to the recording of the meeting.

Public Hearing:

New Special Permit Application for wedding venue, 552 Bassetts Bridge Road, J. & J. Bell o/a, PZC File #1217-2

Chairman Favretti opened the continued Public Hearing at 7:30 p.m. Members present were Favretti, Beal, Goodwin, Hall, Holt, Lewis, Ryan and alternates Rawn and Ward who were both appointed to act. Hall disqualified himself. Linda Painter, Director of Planning and Development, noted the following communications received and distributed to members of the Commission: a 10/3/11 memo from Linda Painter, Director of Planning and Development; a 9/29/11 memo from Grant Meitzler, Assistant Town Engineer; 8/25/11 & 9/26/11 memos from Geoffrey Havens, EHHD; a 7/29/11 memo from Windham Water Works; an 8/2/11 memo from the Agriculture Committee; a 7/15/11 postmarked letter from Tina and Roger Abell of 706 Bassetts Bridge Road; an 8/18/11 letter of support from James Sauve of 29 North Windham Road; a 9/27/11 email from Daniel Civco of 544 Bassetts Bridge Road; and an 8/10/11 email from Bob Wyss and Diane Sprague of 538 Bassetts Bridge Road.

Wesley and Jean Bell, owners, agreed to have all comments and testimony from the Inland Wetlands Agency meeting entered into the record for the Planning and Zoning Commission's Public Hearing. Mrs. Bell submitted for the record a 10-3-11 email of support from Gloria Bent. Mrs. Bell reviewed the seating layout of the existing barn noting that as part of the first phase they will be installing a new septic system, building a 12'x26' addition to the existing barn that will accommodate two handicap accessible restrooms. They will be utilizing a tent outside the barn "as needed" to accommodate guest receptions. The second phase consists of a 20'x60' addition to the barn which will seat 100 guests inside the barn, no longer necessitating a tent. They anticipate anywhere from twenty-five to sixty cars per event, depending on each individual event.

Painter announced that the Bells and their engineer will be meeting with Planning, Health, Building and Fire Marshal staff on Thursday, October 6th to discuss the requirements that each department has for the project.

Chairman Favretti noted no questions from the Commission and asked for public comment.

Bob Wyss, 538 Bassetts Bridge Road, stated that he is happy with the Bell's garden center operation thus far, but is concerned with the impact from potential noise, security and traffic. He felt that the proposal changes this site from a residential farm to a commercial wedding venue, noting that there will be an increase in hours of operation plus the addition of alcohol and music at the site. He asked that the Commission make sure that these issues are addressed to ensure minimal impact to the neighbors.

Dan Civco, 544 Bassetts Bridge Road, reiterated Wyss' concerns, stating that he is happy with the Bell's garden center operation thus far, but is concerned with the impact from potential noise, security and traffic. He noted that he doesn't feel the noise model used to analyze potential impact was adequate to determine how music will impact the neighbors.

Chairman Favretti noted no further questions or comments from the Commission or the public. Holt MOVED, Beal seconded, to continue the Public Hearing to the next meeting. MOTION PASSED with all in favor except Hall who had disqualified himself.

Public Hearing:

Request for Scenic Road Designation, Gurleyville Road (from Route 195 to Codfish Falls Rd) PZC File # 1010-8

Chairman Favretti opened the Public Hearing at 7:53 p.m. Members present were Favretti, Beal, Goodwin, Hall, Holt, Lewis, Ryan and alternates Rawn and Ward who were both appointed to act. Linda Painter, Director of Planning and Development, read the legal notice as it appeared in the Chronicle on 9/20/11 and 9/28/11 and noted the following communications received and distributed to members of the Commission: a 10-3-11 memo from the Director of Planning & Development; an 8-1-11 letter from A. Roe, Director, UConn Office of University Planning; and a 9-28-11 letter from F. Martin.

Benjamin Sachs, applicant, read into the record a 10-3-11 statement with accompanying pictures which were previously distributed to members. His statement summarized why he felt his application is justified. He also submitted into the record a letter of support from Quentin and Margaret Kessel of 97 Codfish Falls Road.

Chairman Favretti noted no questions from the Commission and asked for public comment.

Matthew Maynard, 114 Gurleyville Road, requested that the Commission deny the application because he felt the scenic road designation would lessen the opportunity for public safety improvements (i.e.: sidewalks) to be made on Gurleyville Road. He noted how dangerous it is for pedestrians and children playing in their yards due to the volume and speed of vehicles and the contours of the road.

Susanne Davis, 97 Gurleyville Road, strongly urged the Commission to approve the request, noting it is in the spirit of the town to preserve its beauty and history, adding that Gurleyville Road has both. She agreed that the traffic volume and speed is a problem, but doesn't think that denying the request would secure safety improvements.

Helen Collins, 216 Gurleyville Road, questioned what negative impact approving this request would have on frontage owners.

Kent Newmyer, 98 Gurleyville Road, stated that he is in favor of this application.

Chairman Favretti noted no further questions or comments from the Commission or the public. Beal MOVED, Ward seconded, to close the Public Hearing at 8:13 p.m. MOTION PASSED UNANIMOUSLY.

Zoning Agent's Report:

Hirsch noted that he visited the Gibbs Gas Station and the site has been cleaned of yard debris. Favretti urged Hirsch to contact Paideia, noting no plantings have been installed yet as promised.

Old Business:

1. Design Review Panel Architect Vacancy, Appointment of New Member

Holt MOVED, Hall seconded, to appoint Mr. Jeffrey Allen Brown as a member of the Design Review Panel for a term of two years, ending August 1, 2013. MOTION PASSED UNANIMOUSLY.

2. Live Music Permit Renewals, PZC File #895

Tabled, pending a Public Hearing scheduled for 10/17/11.

3. **Approval Request: Revised Plans for exhibit building Paideia Greek Theater Project, 28 Dog Lane, File #1049-7**

Tabled, awaiting information from the applicant.

New Business:

1. **Modification Request: Building Area Envelope Revision, 87 Jonathan Lane, PZC File #1113-3**

Holt MOVED, Rawn seconded, that the PZC receive the 9/16/11 Request for Site Modification for a revision to the Building Area Envelope at 87 Jonathan Lane and schedule a field trip to the site as part of its review. MOTION PASSED UNANIMOUSLY. A Field Trip was set for 10-11-11 at 1:30 p.m. to view the site.

2. **Request for consideration of Payment in Lieu of Conservation Easement, Listro Property, PZC File #1296**

Linda Painter, Director of Planning and Development, summarized the applicants' request and the reasons for the request, noting that the Open Space Preservation minutes of 9-27-11 recommendation that the applicants request be approved. Joseph Boucher, Towne Engineering, distributed and reviewed a 10-3-11 handout titled "Listro Summary" which summarized the approvals of the sub-divisions from 1977 to present. Attorney Jack Guarnaccia, for the Listro Family, stated their reason for bringing this request before the Commission, noting that this would be the first-ever payment to the Town in lieu of a conservation easement/open space dedication.

Concerns raised by members included: setting a precedent; whether to allow the easement to be removed in lieu of payment on all three Listro lots or just the two that are currently developed; and a dollar figure for the payment in lieu. After extensive discussion between the applicant and representatives, staff and Commission, Goodwin volunteered to draft a motion for the next meeting. It was noted that a filing extension request will be necessary. Boucher of Towne Engineering will submit a request for the next meeting.

3. **New Special Permit Application, Building Replacement & Expansion, 173 Storrs Rd, Natchaug Hospital o/a. PZC File #1305**

Goodwin MOVED, Holt seconded, to receive the Special Permit application (file #937-5) submitted by Natchaug Hospital for a building replacement and expansion on property located 173/180 Storrs Road as shown on plans dated 8/16/2011 as shown and described in application submissions, and to refer said application to staff and committees, for review and comments and to set a Public Hearing for 11-7-11. MOTION PASSED UNANIMOUSLY.

4. **Village Street Plan Presentation, PZC File #1246-8**

Linda Painter, Director of Planning & Development, updated the Commission on the Village Street Plans, noting that Chairman Favretti has reviewed the plans and noted a few items that needed to be revised, to which the applicant has agreed. She noted the Village Street Public Hearing on Tuesday, October 4th at 7:00 p.m. in Council Chambers.

Reports from Officers and Committees:

Chairman Beal of Regulatory Review stated that due to the lack of a quorum for the October 12 Regulatory Review Committee meeting, he will meet with the Director of Planning and Development to begin working on a list of items to be discussed. The next meeting will be October 26th at 1:30 p.m.

Communications:

Noted.

Adjournment:

Chairman Favretti noted the Field Trip set for 10-11-11 at 1:30 p.m., and adjourned the meeting at 9:23 p.m.

Respectfully submitted,

Katherine Holt, Secretary